

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 6, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-28136 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: U-HAUL REAL ESTATE COMPANY**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-2291).
2. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Sign (Billboard) be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising Sign (Billboard) is removed.
3. The west-facing display surface panel shall be replaced within 30 days with a display panel containing a new advertising message or a uniformly blank panel.
4. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
6. If the existing Off-Premise (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City departments must be satisfied.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is a required two-year review of an approved Special Use Permit (SUP-12936) to raise the height of an existing Off-Premise Sign (Billboard) to 30 feet above the height of the US 95 freeway at 2021 West Bonanza Road. The total sign height is currently at 70 feet.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
10/01/03	The City Council approved a General Plan Amendment (GPA-2497) to Amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south.
12/01/04	The City Council adopted Ordinance No. 5736, establishing standards pertaining to the relocation of Off-Premise Advertising Signs (Billboards) required to be removed to allow for publicly funded improvements.
05/17/06	The City Council approved an amendment to the Downtown Redevelopment Plan Map (GPA-9219) to expand the boundaries of the Downtown Redevelopment Area and to identify future land use designations as "Commercial," "Mixed Use," "Industrial" or "Public Facility." The subject site is located in the "Expansion Area A" with the Industrial land use designation as identified within this application. The Planning Commission and staff recommended approval.
07/19/06	The City Council approved a request for a Special Use Permit (SUP-12936) to raise the height of an existing Off-Premise Advertising Sign (Billboard) to 30 feet above the height of the US 95 freeway for a total height of 70 feet at 2021 West Bonanza Road. The Planning Commission and Staff recommended approval on 06/22/06.
06/26/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #17/mh).
<b><i>Related Building Permits/Business Licenses</i></b>	
06/22/04	A sign permit (#04-015861) was issued under plan check # L-4724-04 to relocate a 40-foot tall, 672 square foot Off-Premise Advertising Sign (Billboard) to 2017 West Bonanza Road. A final inspection was approved 09/10/04.

<b><i>Pre-Application Meeting</i></b>
A pre-application meeting is not required, nor was one held.
<b><i>Neighborhood Meeting</i></b>
A neighborhood meeting is not required, nor was one held.

<b><i>Field Check</i></b>	
05/23/08	<p>A field check was made by staff with the following observations:</p> <ul style="list-style-type: none"> <li>• There are no embellishments, moving parts, or electronic displays located on the sign.</li> <li>• The west-facing sign panel requires a uniformly painted blank panel or new advertising message.</li> <li>• The sign in review is located at the rear of an equipment rental company adjacent to the US-95.</li> <li>• The sign and its supporting structure are free of graffiti and properly maintained.</li> </ul>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.63 acre

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Mini-Warehouse/ Equipment Rental	LI/R (Industrial – Downtown Redevelopment Plan)	C-2 (General Commercial)
North	Single-Family Dwellings	MXU (Mixed-Used - Downtown Redevelopment Plan)	R-E (Residence Estates)
South	U.S. Highway 95 Right-of-Way	LI/R (Industrial – Downtown Redevelopment Plan)	ROW (Right-of-Way)
East	Office	LI/R (Industrial – Downtown Redevelopment Plan)	C-M (Commercial/Industrial)
West	Major Auto Repair and Auto Parts Sales	LI/R (Industrial – Downtown Redevelopment Plan)	C-2 (General Commercial) Under Resolution of Intent to C-M (Commercial/Industrial)

<i><b>Special Districts/Zones</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>	<i><b>Compliance</b></i>
<b>Special Area Plan</b>			
Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<i><b>Special Districts/Zones</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>	<i><b>Compliance</b></i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District – 140 feet	X		Y
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

### **West Las Vegas Plan**

The subject site is located within the boundaries of the West Las Vegas Plan. Map 14 of the Plan classifies the current land use category of this area as LI/R (Light Industry/Research), which typically allows C-M (Commercial/Industrial) and M (Industrial) zoning districts.

### **Redevelopment Plan Area**

The subject site was added to the Downtown Redevelopment Area by the Las Vegas City Council on 10/01/03 with an amendment to Map 9 of the Las Vegas Downtown Development Plan. This action consisted of a change from LI/R (Industrial) land use designation to the MXU (Mixed-Use) land use designation for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south. No special standards apply to the subject off-premise sign as a result of its inclusion in the Redevelopment Area.

### **Airport Overlay District**

The subject Off-Premise Advertising (Billboard) Sign is located within the North Las Vegas Airport Overlay District. At a height of 70 feet, the billboard is within the 140-foot allowable height limit designated on the Overlay Map.

## DEVELOPMENT STANDARDS

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Location	No Off-Premise Sign may be located within the public right-of-way	The Off-Premise Sign (Billboard) is located on-site, out of the public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	The existing sign is located within the C-2 (General Commercial) Zoning District	Y
Minimum Separation	Minimum 750-foot distance separation from any other Off-Premise Sign along the same freeway frontage	Approximately 580 feet separation	N*
Minimum Separation	Minimum 300-foot distance separation from nearest property line of a lot in the U or any "R" zoning district	Approximately 270 feet south of property zoned R-E	N*
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The total surface area of each side of the Off-Premise Sign (Billboard) is 672 square-feet.	Y
Height	No higher than 30 feet from the elevated grade of a freeway within 150 feet.	Maximum height of 70 feet from grade, approximately 26 feet above the elevated roadway nearest the sign, which is approximately 21 feet from existing grade; approximately 65 feet from ROW.	Y

Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 350 feet from the right-of-way line of the intersection of Bonanza Road and Tonopah Drive.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	The structural elements open towards the east-facing portion of the sign are appropriately screened	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The Off-Premise Sign (Billboard) is permanently secured to the ground on non-residential property.	Y

\*The subject billboard does not comply with distance separation requirements from other off-premise signs or from property zoned R-E (Residence Estates) to the north. However, the sign was nonconforming prior to relocation to the current site, and was not required to conform as a result of required removal due to expansion of the U.S. 95 freeway. Furthermore, the sign was relocated prior to current standards pertaining to the relocation of signs required to be removed to allow for publicly funded improvements.

## ANALYSIS

This is the first review of Special Use Permit (SUP-12936) to raise the height of an existing Off-Premise Advertising Sign (Billboard) to 30 feet above the height of the US 95 freeway. The Off-Premise Sign (Billboard) subject to review is located at 2021 West Bonanza Road within the C-2 (General Commercial) zoning district. Upon a site inspection on 5/23/08 staff found the subject sign was in fair condition. While there were no embellishments, graffiti, or moving parts the western sign face will need to be painted solid white and bird control measures will need to be added. A research of the sign permit #04-015861 found that this sign received a final inspection on 06/17/04 under the address of 2017 West Bonanza Road.

## **FINDINGS**

This sign is located within a C-2 (General Commercial) zoning district. The Off-Premise Sign (Billboard) is located approximately 270 feet from residentially-zoned property where 300 feet is required and 570 feet from the nearest Off-Premise Sign (Billboard) where 750 feet is required. This sign is not located within the Off-Premise Sign Exclusionary Zone. Staff finds that there is no adverse impact regarding the continued use of this sign at this time, as there have been no significant changes in development or land use in the surrounding area since the initial installation of the sign. Therefore, staff recommends approval, subject to a five-year review.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 20

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 198 by City Clerk

**APPROVALS** 1

**PROTESTS** 2